



**ENTERED**

TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

*Hamilton DeWayne Hale*  
United States Bankruptcy Judge

Signed July 2, 2009

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

In re:  
Winmar Pizza, L.P.

Case No. 09-33027-BJH-11

In re:  
Pizza Foods of Texas, L.P.

Case No. 09-33992-11

In re:  
Pizza Partners of Cincinnati, L.P.

Case No. 09-33993-11

In re:  
Pizza Partners of Maryland, L.P.

Case No. 09-33994-11

In re:  
Pizza Partners of Ohio, Ltd.

Case No. 09-33995-11

In re:  
Pizza Partners of South Carolina, L.P.

Case No. 09-33996-11

In re:  
Pizza Partners of West Virginia, Limited  
Partnership

Case No. 09-33997-11

In re:  
TEG Pizza Partners of Indiana, L.P.

Case No. 09-33998-11

In re:

TEG Pizza Partners of Texas, L.P.

Case No. 09-33999-11

In re:

Pizza Partners of Florida, Limited Partnership

Case No. 09-34000-11

In re:

TEG-Pizza Partners Holdings, L.P.

Case No. 09-~~33401~~<sup>34001-11</sup>-11 RC

**ORDER GRANTING  
DEBTORS' EMERGENCY MOTION FOR ENTRY OF AN ORDER PURSUANT  
TO FED. R. BANKR. P. 1015(b) AND BANKRUPTCY RULE OF PROCEDURE 9007  
DIRECTING JOINT ADMINISTRATION OF CASES AND SEEKING AUTHORITY TO  
IMPLEMENT CERTAIN NOTICE PROCEDURES**

In consideration of the motion of Winmar Pizza, LP ("Winmar") and its affiliated debtors and debtors-in-possession (together with Winmar, the "Debtors")<sup>1</sup> for Order Pursuant to Fed. R. Bankr. P. 1015(b) and Bankruptcy Rule of Procedure 9007 Directing Joint Administration of Cases and Seeking Authority to Implement Certain Notice Procedures (the "Motion"),

IT IS ORDERED, ADJUDGED AND DECREED the cases of the above name debtors shall be jointly administered for procedural purposes only under the case styled *In re Winmar Pizza, L.P.*, Case No. 09-33027 and such style and case number to be used on all pleadings filed against any of the Debtors as shown in Exhibit A (attached).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event these cases have been assigned to separate judges, all cases shall be transferred to the judge assigned to Case No. 09-33027 (the "Lead Case"); and it is further

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all orders, pleadings, papers and documents, except proofs of claims, shall be filed and docketed in the Lead Case. All creditors shall file proofs of claim in the case of the particular debtor entity listed in the caption

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<sup>1</sup> The Debtors include Pizza Foods of Texas, L.P.; Pizza Partners of Florida, Limited Partnership; Pizza Partners of Indiana, L.P.; Pizza Partners of Maryland, L.P.; Pizza Partners of Ohio, Ltd.; Pizza Partners of South Carolina, L.P.; TEG Pizza Partners Holdings, L.P.; TEG Pizza Partners of Texas, L.P.; Pizza Partners of West Virginia, Limited Partnership; and Pizza Partners of Cincinnati, L.P.

of this order against whom the creditor asserts its claim, a creditor of more than one estate shall file and docket a proof of claim in each case to which a claim may be made, and only in the amount which the creditor may make a claim from that estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if pleadings, papers, and documents have been filed in any of the above captioned cases other than the Lead Case prior to the entry of this Order, and those matters have not yet been heard and decided, the party who filed the pleading, paper, or document shall (i) re file that pleading, paper, or document in the Lead Case within 3 business days of the entry of this Order, (ii) set the pleading, paper, or document for hearing before the judge assigned to the Lead Case, and (iii) notice the hearing to all appropriate parties.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the Debtors shall establish a master service list (the "Master Service List"), that shall include: (i) the Office of the United States Trustee for the Northern District of Texas (the "U.S. Trustee"); (ii) the Debtors; (iii) the attorneys for the Debtors; (iv) the attorneys for Frost; (v) the attorneys for the official committee of unsecured creditors (the "Committee"), if appointed, or if not appointed the fifty (50) largest unsecured creditors from the Master Service List; (vi) the attorneys representing CiCi Enterprises and its affiliates and insiders; (vii) those persons who have formally appeared in these chapter 11 cases and requested service pursuant to Bankruptcy Rule 2002; and (viii) all applicable government agencies to the extent required by the Bankruptcy Rules and the Local Rules.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that notice of any Documents in these chapter 11 cases be served only upon (a) the parties then-listed on the Master Service List, (b) any parties that have formally appeared and requested service pursuant to Bankruptcy Rule 2002 that have not yet been added to the Master Service List, and (c) any party whose interests the specific document affects.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the proceedings with respect to which notice would be limited to the Master Service List shall include all matters covered by Bankruptcy Rule 2002, with the express exception of the following: (i) notice of (a) the first meeting of creditors pursuant to section 341 of the Bankruptcy Code, (b) the time fixed for filing proofs of claim pursuant to Bankruptcy Rule 3003(c), (c) the time fixed for filing objections to, and the hearings to consider, approval of a disclosure statement and confirmation of a plan of reorganization, (d) notice of any motion seeking to establish sales procedures pursuant to 11 U.S.C. §363, (e) any orders establishing bidding procedures and for hearings on any motion under 11 U.S.C. §363; and (ii) notice and transmittal of ballots for accepting or rejecting a plan of reorganization. Notice of the foregoing matters shall be given to all parties in interest in accordance with Bankruptcy Rule 2002, unless the Court orders, or the Bankruptcy Code prescribes, otherwise.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if the U.S. Trustee does not appoint a Committee, the Debtors shall include on the Master Service List the holders of the 50 largest unsecured claims against the Debtors (on a consolidated basis); provided however, if the U.S. Trustee appoints a Committee, the Debtors shall add the attorneys for the Committee to the Master Service List and remove from the Master Service List the holders of the 50 largest unsecured claims, except where such creditor has formally appeared and requested service in the Debtors' chapter 11 cases pursuant to Bankruptcy Rule 2002.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Debtors shall file the initial Master Service List within three (3) calendar days after the entry of this Order.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Debtors shall update the Master Service List, to include the name and address of any party in interest who has

made a written request for notice, bi-weekly for the first 30 days after filing of the initial Master Service List, then monthly thereafter during the pendency of these chapter 11 cases.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the completion of noticing any particular matter, the noticing party or their agent shall file with the Court either an affidavit or certification of service, annexing thereto the list of parties receiving notice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that parties filing pleadings and other documents with the Clerk of the Court shall serve the parties on the Master Service List by U.S. mail or hand delivery or, alternatively, by e-mail upon parties listed on the Master Service List if such email addresses are listed thereon; provided that service on any party who has filed a notice of appearance shall be effected through the ECF notice transmitted upon the filing of the pleading.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Counsel for Debtors shall serve a copy of this order on the United States Trustee, all creditors, persons filing Notices of Appearance, and other parties-in-interest, and shall file a certificate of service with the Clerk of Court after completing service of this order.

### END OF ORDER###

## EXHIBIT A

In Re:  Winmar Pizza, L.P., et al.  Debtor(s)	§ § § § § §	Case No.: 09-33027-BJH-11 Jointly Administered
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